Annual Report 2013/2014

Collaborative Resolution ■ Restorative Results

SASKATCHEWAN
HUMAN RIGHTS
COMMISSION

Letter of Transmittal

The Honourable Gordon Wyant, Q.C.
Minister of Justice and Attorney General
Legislative Building
Regina, Saskatchewan

Dear Minister Wyant,

I am pleased to deliver the 2013-2014 annual report of the Saskatchewan Human Rights Commission as required by Section 49 of *The Saskatchewan Human Rights Code*.

This report highlights the activities and successes of the Commission for the fiscal year beginning April 1, 2013 and concluding March 31, 2014.

Sincerely,

David M. Arnot
Chief Commissioner

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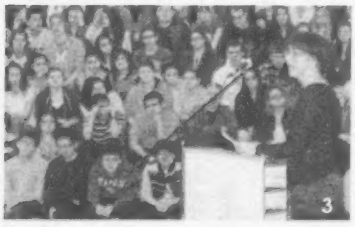
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Message from the Chief Commissioner

As the Saskatchewan Human Rights Commission enters the fortieth year of its operation, the Commission's mandate can be distilled to this: use the tools in the quasi-constitutional *Saskatchewan Human Rights Code* to reduce, prevent, and where possible, eliminate discrimination in our province. Since its inception, the Commission has worked independently and diligently to uphold that mission by following the noble path set out in the *Code*.

The Saskatchewan Legislature renewed that mission in 2011 by giving the Commission new tools to address lengthy delays, accelerate resolution, and solve problems. In 2013, the results speak for themselves. For example, a complaint was resolved by mediation, on average, every other day during the last fiscal year.

The statistics also speak to the issues. People with disabilities do not always receive the accommodation they require, pregnant women are fired from their jobs, and businesses make unnecessary errors. The issues are deeply felt, real, and need to be addressed.

Most complainants are not interested in creating precedent, case law, or legislation. More often, they want to address a situation, see change occur, and move forward with their lives. The SHRC believes that facilitating collaborative resolution processes achieves timely, appropriate, and restorative results.

Even with a focus on appropriate and early case resolution, there will continue to be a need for investigation and hearings for more egregious complaints. Hearings are sometimes necessary to deal with human rights violations. The Commission pursues legal remedies through the Court of Queen's Bench when required.

Over the course of the last year, SHRC directed mediation, a final facilitated attempt at resolution prior to a hearing, has generated noteworthy outcomes. Directed mediation is a proven means by which to resolve a complaint outside of the courtroom.

The Saskatchewan Human Rights Code fully protects the rights of all people in Saskatchewan. In short, the *Code* is the tool to address discrimination in our province. It's also a tool that reflects the evolution of jurisprudence and social need.

Facilitating collaborative resolution processes achieves timely, appropriate, and restorative results.

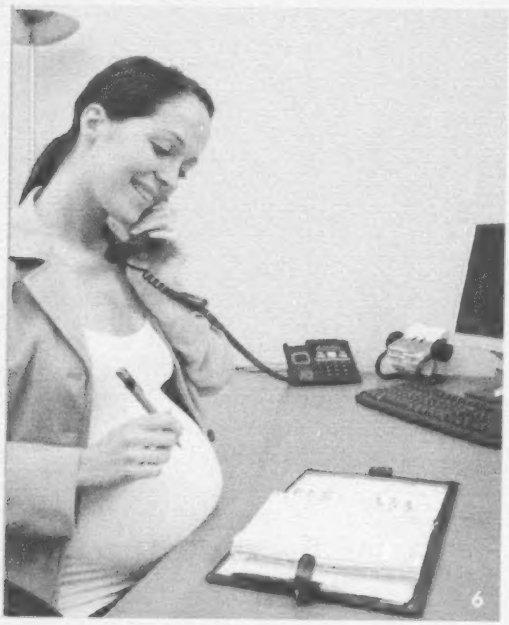
David M. Arnot
Chief Commissioner

Restorative Outcomes Through Mediation

Unique approaches and outcomes characterize mediated resolutions to human rights complaints.

A mediated resolution is reached every second business day at the Commission. Key to these results is recognition that party driven resolution is available at any stage of the process. For instance, matters proceed to investigation when complaints are not resolved by mediation within acceptable time frames.

In the new Commission process, parties agree on their own terms, and those terms often include terms a court could not order (for example, apologies, or letters of reference), workplace policy changes, and better understanding.



Additionally, mediation resolutions will include financial damage awards where warranted. These damages have ranged from low four figures to low six figures. There are times the complainant withdraws the complaint once the parties have had opportunity to discuss the matter.

While dealing with human rights matters is likely never going to be stress free, the new process presents swifter resolution and better opportunities to restore relationships. More to the timeliness of the process, there is, currently, no backlog of cases at the Commission for new cases. Mediations can and do occur quickly, and matters that fail to resolve in mediation can be immediately assigned to investigation.

The Saskatchewan Human Rights Commission is becoming an example for excellence. To illustrate, the Canadian Human Rights Commission has adopted the SHRC's new mediation model in hope that it, too, can achieve similar results.

PUTTING BEST PRACTICES IN PLACE SATISFIES PREGNANT COMPLAINANT

A medical assistant for a health care provider advised her employer that, due to her pregnancy, her hours would need to be reduced.

During the mediation, it was disclosed that the employer and employee enjoyed a positive working relationship right up to the time that the accommodations were anticipated. The complainant wanted no money because she had quickly found work with another employer.

Results
The complainant did want the employer to produce a document that would be shared with all present and future staff, committing the business to "best practice procedures" related to pregnancy accommodations. With an offer of assistance from the SHRC, the employer agreed to do this and the former employee withdrew her complaint.

TERMINATION WHILE IN HOSPITAL RESULTS IN $4,000 SETTLEMENT

A journeyman employee was hospitalized for a condition unrelated to employment. The employee qualified for both short term and long term disability.

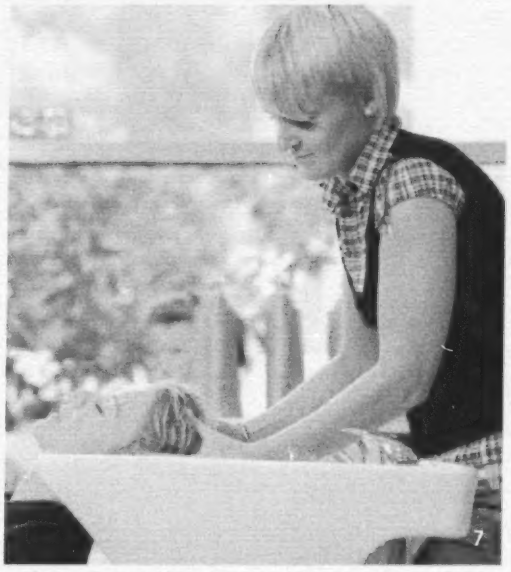
After slightly more than three months, the employee received a termination letter while still in hospital. Although it appeared obvious that prospects for return were negligible, there had been no discussion by the employer with the employee about the long term prospects or his current condition.

Results
In mediation, the employer admitted that she did not know that the employee was still in hospital and that it was wrong for the letter to have been sent without some consultation. The complainant asked for and received $4,000 for the damage to dignity and self-respect that was endured.

SALON AGREES TO CLARIFY ACCOMMODATIONS FOR PATRONS USING WHEELCHAIRS

In working to resolve a complaint between a patron with a disability who uses a wheelchair, and a hair salon manager, it was found that the available accommodations for persons with disability impairments were unclear.

The salon manager refused to offer the patron service unless the customer was able to sit in a hair rinse station. Adding to the difficulty of this situation was a back and forth discussion in front of other customers.



During mediation, counsel for the complainant said that the industry really has no specific standards around safety, just that stylists are supposed to be safe. She consulted with the complainant on models of equipment that might be acceptable to her as a wheelchair user.

The salon manager was also upset that she had caused someone to feel this way. She said that she has experienced discrimination herself, that her intention was to protect the complainant's eyes, and that the last thing she wanted to do to anyone is make them feel like she has felt in the past.

The terms of the agreement were a verbal and written apology by the salon manager, and a gift card in the amount of $125 to cover the lost income for the complainant's husband while attending the meeting with the complainant. Counsel also said that she would promote training within the company so that stylists will be able to better communicate with patrons that require accommodations.

Focus On Mediation: Wedding Dress Complaint

Mediation highlights evolving understanding of gender.

On April 21, 2013, a business owner infringed Section 12 of *The Saskatchewan Human Rights Code* by denying a transgender woman service because of her gender expression. A series of mediation sessions between the parties resolved the complaint in a matter of 16 weeks.

As part of this timely resolution, the business owner agreed to provide a financial contribution to two local charities. In this case, the complainant did not seek personal compensation as part of the resolution.

Transgender people are protected against discrimination by The Saskatchewan Human rights Code

In addition to demonstrating how willingness of the parties can accelerate resolution, and finding mutually agreeable and appropriate case resolution, media coverage and public discussion also educated the public about the rights of transgender people. Research indicates that transgender people often face discrimination in employment, housing, and public settings. As well, and in addition to discrimination, transgender people frequently experience violence throughout their lives.

Transgender people are protected against discrimination by *The Saskatchewan Human Rights Code*. An analysis of modern human rights legislation across Canada supports the rights of transgender Canadians. The Canadian Charter of Rights and Freedoms, significant legal precedent, and decisions made by the Supreme Court support this position.

In 2012, the SHRC met with community stakeholders in Saskatchewan and committed to review the then Canada-wide debate about legislative protections for transgender people. Since that time, legislation in Alberta and Manitoba, and elsewhere across the country, has evolved to include two key concepts:

- Gender Identity is connected to an individual's inherent sense of self and particularly the sense of being male or female. A person's gender identity is fundamentally different from, and does not determine, their sexual orientation that is also protected under the *Code*.
- Gender Expression is the external representation of one's gender identity. It is usually expressed through "masculine" or "feminine" behaviour, and may include clothing, hairstyle, voice, or physical appearance characteristics

The SHRC is evaluating the legal implications of changes to human rights codes in other jurisdictions and continues to consult with stakeholders with the goal of making a recommendation to legislators in Saskatchewan. In the meantime, the Commission continues to accept complaints of discrimination from transgender people based on gender identity, gender expression, and other *Code* grounds.

Interagency Collaboration a Success

Multiparty pre-complaint resolution benefits mother and child.

As part of its strategic business plan, the Commission has prioritized interagency collaboration as one means by which to achieve timely and effective resolution to issues and situations that have human rights concerns. Involving stakeholders has generated unique, positive, and respectful outcomes for all involved.

PRE-COMPLAINT RESOLUTION HELPS MOTHER AND CHILD FIND HOUSING

Emma* is a young mother with a significant intellectual disability in the final years of high school in a large Saskatchewan community.

She needed a home for herself and her young daughter Lily*, a precocious five-year-old girl that had just begun Kindergarten. The facts of the matter are simple to understand, but complicated to resolve:

- Emma was living with her daughter in a difficult and destructive common law relationship;
- Emma needs supervision and assistance, but had no family supports or other extended social structures;
- There was also no existing personal care home space that could provide for Emma and Lily to live together; and
- There were no socially supported homes or service agencies for a family like this.

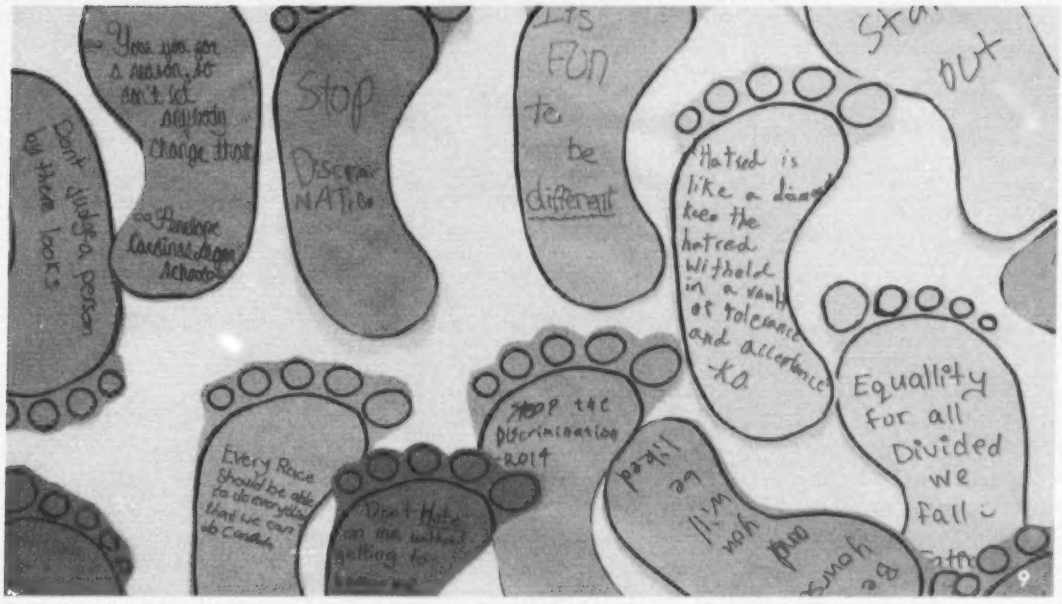
An organized community of care at Emma's High School advocated on Emma and Lily's behalf. Commission staff offered some ideas, suggestions, and possible contacts. The advocates took that information, and a complaint form, from the meeting.

They were then able to follow up on the advice. Through perseverance, the advocates were able to work with the involved provincial and local agencies to find a novel solution. In turn, those agencies supported a home for Emma and Lily where both could receive the support and supervision they need.

Instead of focusing on past practices, the agencies worked creatively to produce a reasonable outcome that went beyond traditional solutions. In this way, the mother was fulfilled and the best interests of the child were achieved. Although Emma and Lily are likely to face challenges in the future, some of the key outcomes include:

- Emma is working while completing high school;
- Lily is moving into kindergarten;
- The maternal bond is preserved and lives are not disrupted;
- The advocates who gave Emma and Lily a voice also learned how to better preserve the situation for others like her;
- The agencies were able to find a novel and fair solution; and
- Everyone had a greater understanding and a vested interest in creating a positive outcome.

* The names of the mother and child have been changed.


Stop
Discrimination
It's FUN to be different
Hatred is like a
Equallity for all
Divided we fall
Every Race Should be able to do everything that we can do Canada

Resolution Through Directed Mediation

Giving parties one more opportunity to resolve a complaint prior to hearing is a defining feature of directed mediation.

Over the course of the last year, the SHRC has successfully employed directed mediation as a means of resolving complaints that would otherwise proceed to hearing. The directed mediation model requires the parties to a complaint to settle, rather than pursue more expensive litigation, when a reasonable offer is made by either party (refer also to pages 10 and 11 for more information on this process).

Part of the success of this model is that it can accommodate situations in which a party may not want to settle despite having been presented with a reasonable offer (i.e., similar to what a court might award after making a determination on a case). In this way, directed mediation can avoid litigation-related expenses, deal with limited public interest in pursuing the complaint through litigation, and improve the parties' satisfaction with the resolution process.

Directed mediation is gradually expected to reduce both the investigation time and the number of court hearings, thereby reducing costs and improving timelines for complaint processing. This model also makes better use of staff resources and provides more time to investigate and process difficult complaints.

Requiring respondents and complainants to settle when a fair offer is put forward can also reduce legal costs in other ways. For example, respondents often feel a need to hire a lawyer to represent them in court.

EMPLOYEE RECEIVES DAMAGES FOR RELIGIOUS DISCRIMINATION

Shortly after being promoted to the position of assistant manager, Ekant (not his real name), an employee at a multi-franchise restaurant in Saskatoon, had a disagreement with a supervisor about Ekant's appearance. Specifically,

the supervisor wanted Ekant to trim his beard. As a follower of Sikhism, Ekant told his supervisor that trimming his beard would be contrary to his religious beliefs.

In response to this refusal, the supervisor disciplined Ekant in a way that was out of step with how other assistant managers were usually disciplined. When Ekant brought this to the attention of senior managers, he was transferred to another restaurant within the franchise.

Code Analysis
Ekant believed these actions constituted discrimination in employment because of his religion and place of origin, contrary to Section 16 of The *Saskatchewan Human Rights Code*.

Results
The corporate respondent agreed to pay Ekant $5,000 as general damages with respect to his employment, and the end of his employment, at the restaurant.

IMPROPER TERMINATION OF EMPLOYEE ON MEDICAL LEAVE

Edward (not his real name), a longtime server/bartender at a restaurant was required to take a medical leave related to workplace stress. When Edward was denied short-term disability benefits from his workplace insurance provider, his employer scheduled Edward to return to work. Edward was terminated when he did not return from his medically required and disability-related leave.

Code Analysis
When Edward brought his complaint to the SHRC, he believed that he had been improperly terminated because of his disability, and experienced discrimination, contrary to Section 16 of *The Saskatchewan Human Rights Code*.

Results
The respondent provided Edward with a payment of $12,500 (less lawfully required deductions) as a retiring allowance in respect of the claim for lost wages, tips, and benefits arising from termination of employment. As well, the respondent was required to pay $6,000 for damage to dignity and self-respect under Subsection 31(4) of the *Code*.

ASSESSING DUTY TO ACCOMMODATE REQUIRES REVIEW OF DOCUMENTATION

After returning to work from a disability leave, Eric (not his real name) learned that his company had concerns about the need to accommodate his disability. The employer informed him that they would not be willing to deal with future interruptions to his work schedule.

Several months later, Eric required another medically necessary leave from his company. The employer was aware that the necessary documentation for the leave had been prepared and that it was on the way. Rather than wait for the paperwork, however, the company terminated Eric.

Code Analysis
Eric believed that the termination by his employer was discriminatory. The Commission formalized the complaint on the grounds of discrimination because of disability contrary to Section 16 of *The Saskatchewan Human Rights Code*.

Results
In directed mediation, the parties agreed that the respondent would pay Eric $102,500, less the required deduction for income tax, in respect of the Complainant's claim for wrongful termination of the Complainant's employment, and $10,000, without deduction, in respect of the Complainant's claim for damage to dignity under s. 31.4 of the *Code*.

As well, the respondent provided Eric with a letter of reference which specified the duties Eric performed for the company and that Eric's employment was concluded to the mutual satisfaction of the employer and the employee. In turn, Eric agreed not to pursue additional legal action.

Focus on Practice: Directed Mediation*

Restorative outcomes are the hallmark of a successful directed mediation.

Parties to a complaint have always had access to a traditional litigation model through the SHRC. Since 2011, complainants have had access to a full court process through the Court of Queen's Bench. Over the last 2 years, 37 matters have been referred to hearing at Queen's Bench.

However, few human rights complaints are actually heard by the courts. Most complaints that are on track for hearing are usually resolved through Directed Mediation instead. Adapted from Manitoba's Directed Mediation protocols for use in Saskatchewan, Commission-directed mediation processes provide parties with another opportunity to resolve the complaint outside of the courtroom.

WHAT IS DIRECTED MEDIATION?

Directed mediation is a facilitated discussion between the parties to a complaint and is conducted by the Commission. It takes place at the discretion of the Chief Commissioner who reviews the findings of the investigation and determines that the complaint has sufficient merit to proceed to a hearing.

The Commission does not provide legal representation to any party but, in some cases, the Chief Commissioner may ask the Commission Lawyer to participate in directed mediation. In such cases, the role of the Commission Lawyer is to represent the Commission rather than any party.

The parties may also have a lawyer assist them with directed mediation. At the same time, the mediator works on behalf of the Commission to help the parties to the complaint arrive at a mutually agreeable settlement.

The complaint process is not open to the public. Settlement discussions in the directed mediation are confidential. If the parties are unable

* This summary is a brief overview of the directed mediation process and may not be applicable in all situations.

to reach a settlement agreement and the complaint goes to the Court of Queen's Bench for a hearing. At this point, the process is open to the public.

In a hearing, a Queen's Bench Justice will assess the merits of the complaint based on the evidence presented and issue a decision. The outcome of a Court of Queen's Bench hearing is difficult to predict. The court's assessment of liability and/or the remedy provided may be unfavourable to one or more of the parties.

The remedies available under the *Code* are intended to address the harm caused by discrimination and to prevent future discrimination. The focus is on restorative rather than punitive outcomes.

Some of the available remedies include:

- Monetary compensation for financial losses or expenses caused by the discrimination, and monetary compensation for injury to feelings, dignity, or self-respect;
- A change in behaviour, policy, or practice to ensure that the discrimination does not continue;
- Action to correct harm caused by the discrimination;
- Additional compensation in cases where there is evidence of harsh or malicious conduct; and
- A broad, remedial program if there is evidence of a pattern or practice of violating *The Saskatchewan Human Rights Code*.

The Commission will only seek remedies that are supported by the evidence and legal authorities. Complainants may seek additional compensation, or other remedies, but will be responsible for presenting their own arguments to the court.

as that include financial remuneration may consider factors such as:

- If the harm was only partially caused by the discrimination;
- Compensation for a lost opportunity may be less than the amount that might have been earned or awarded;
- Compensation may even be unavailable if it is found that the amount claimed was unlikely to be received by the complainant;
- A complainant's efforts to limit losses and harm caused by discrimination;
- A complainant can only obtain compensation for the actual loss. If the complainant received other compensation for the loss, this may be taken into account in assessing the award; and
- Tax implications, or be subject to employment-related deductions.

The SHRC does not provide legal representation to any party but, in some cases, the Chief Commissioner may ask the Commission Lawyer to represent the Commission.

Collaborative Advocacy, Systemic Success

Stakeholder discussions lead to significant improvements in accessible transportation in Regina.

The new mission of the SHRC is focused on collaboration and cooperation to find timely and effective appropriate case resolution for human rights issues. To achieve appropriate case resolution, the Commission now uses the tools included in the 2011 changes to the *Code*, including mediation and systemic advocacy.

Systemic advocacy is a restorative process aimed at resolving complaints that involve and impact multiple persons or groups. The use of "class action-like" systemic advocacy provisions gives the Commission greater opportunity to effect greater change for many, rather than a solution for one or only a few.

The SHRC is working to expand its systemic advocacy practices to more effectively deal with its complaint workload. Unlike individual complaints, systemic advocacy does not require a formal (served) complaint. This approach instead involves interaction with organizations and stakeholders to deal with systemic sources of human rights violations.

ACCESSIBLE TRANSPORTATION UPDATE

Over the course of the last year, the Commission continued to work with stakeholders and leaders in the disability community of Regina. In May 2013, a committee was formed to respond to, and make recommendations on, the SHRC's report on the status of accessible transportation in the city.

That document, "Achieving Equivalent, Comparable, and Accessible Public Transportation in the City of Regina: A Report to Stakeholders" (available online) was a response to concerns expressed by passengers who require accessible transportation and at the request of key stakeholders, and acknowledged that many people with disabilities rely on public and pay transportation as their primary means of mobility within their communities. However, when public transportation is not accessible, people with disabilities have reduced access to the world right outside their front door.

The SHRC made a commitment to facilitating equivalent, comparable, and accessible transportation in the City of Regina. The Commission worked systemically to, firstly, hear the concerns people with disabilities had about transportation and, secondly, prepare a report recommending a way forward. That report was published on the SHRC website in May 2013.

The Commission recommended that the key stakeholders should work together to resolve the barriers associated with accessible transportation. Transit service providers, City or Regina representatives, government agencies, non-governmental organizations, and individuals with disabilities agreed to work together on this issue.

In June 2013, representatives of these organizations formed an advisory committee, the Accessible Transportation Systemic Advisory Committee (ATSAC) and agreed that there were five key objectives that needed to be addressed. To date, significant progress has been made in all five areas through the collaborative efforts of the stakeholders.

One, the City of Regina is working diligently to reduce Paratransit refusal rates. Although the results are preliminary in nature, adjustments to the system are showing promise.

Secondly, addressing accessibility issues with taxi service is an important part of the stakeholder advisory committee. The City of Regina approved several important bylaw amendments put forward by officials from the Bylaw and Licensing Branch that specify:

- The drop rate, or the initial charge, for people using accessible cab services should be equivalent to the charge for people who are using non accessible cabs;
- That people travelling with services animals not be charged additional funds; and
- That the number of accessible taxis be substantially increased to reflect the overall population of people with disabilities.

Third, address access "hotspots" – that is transit locations that are most often used by people with disabilities and which need to be kept barrier free. City departments have piloted an early snow removal initiative with positive results. Based on usage information, the City has prioritized the top 10 such locations for early snow removal.

Four, that all of the bus drivers and operators in Regina have received specific service training. This is an important step and the provision of ongoing training should make a difference in many of the relational aspects of public transportation for people with disabilities.

Key stakeholders should work together to resolve the barriers associated with accessible transportation.

The advisory committee is considering how changes and improvements are meeting the fifth objective -- alignment with the goals of *The Saskatchewan Human Rights Code*. This has been identified as an ongoing activity and biannual meetings have been established to review progress and, where needed, reaffirm or establish priorities. The collaborative systemic advocacy process is producing significant results for the growing community of people with disabilities in the City of Regina.

Focus On Policy: Role of Service Animals

Service animal policy clarifies requirements to accommodate people with disability-related needs.

Over the course of the last year, the Commission received several complaints from people with disabilities who use service animals. It was clear that the business owners, services providers, and the general public wanted to know more about how to accommodate people who use service animals. In response, the Commission published a policy document to provide answers to some common questions.

Generally speaking, most people with disabilities make adaptations and use various accommodations to assist them with daily life. Service animals perform everyday tasks and safety assistance.

The Saskatchewan Human Rights Code clearly upholds the rights of people with disabilities who use service animals. This protection extends to employment situations, educational settings, and where services are offered to the public.

To better clarify the duty to accommodate people who use service animals, the SHRC published a new policy document*. The policy provides specific examples of situations requiring accommodation, many of the obligations of the handler, and which animals are not covered by the *Code*.

For example, pets and animals that offer therapeutic support, but have not received specialized and disability-related training, are not covered by this policy. Although typically associated with people who are blind or visually impaired, specialized training also enables service animals to assist people with psychiatric, intellectual, and mental disabilities. Some examples of less well-known service animals include:

- A Hearing Dog alerts a person with significant hearing loss, or who is deaf, to specific sounds such as a knock on the door;
- An Assist Dog helps a person who has a mobility or health impairment. Types of duties include: carrying, fetching, opening doors, ringing doorbells, activating elevator buttons, or steadying a person while walking;
- A SSigDog is a Social Signal Dog trained to assist a person with autism. The dog may alert the partner to distracting or repetitive movements, allowing the person to stop the movement (e.g., hand flapping). Recognizing familiar persons in a crowd, steering around a mud puddle, or responding to other people or social signals;
- A Seizure Response Dog assists a person with a seizure disorder. How the dog serves the person depends on the person's needs. The dog may stand guard over the person during a seizure, or the dog may go for help. Some dogs are trained to predict a seizure and provide a warning; and

- A Psychiatric Service Animal assists a person with a psychiatric disability. It provides specific services to a person with a psychiatric disability with jobs such as picking up/retrieving objects or aiding with mobility when the handler is dizzy from medication or has psychosomatic symptoms, or waking the handler if the handler sleeps through alarms or cannot get out of bed.

Along with the increased use of service animals, and a seeming increase in the ways in which service animals can assist people with disabilities, there are also misunderstandings. Examples of prohibited practices include:

- Refusing admission or services to a person with a service animal in the absence of an undue hardship;
- Interfering with the provision of services by a service animal;
- Requiring a person with a service animal to disclose details of a disability;
- Charging higher fees, deposits or surcharges to a person with a service animal; and
- Segregating service animals and handlers from other members of the public.

Unless an undue hardship can be shown, the duty to accommodate a service animal applies.

OBLIGATIONS OF THE HANDLER

When accessing public places or services, handlers should be prepared to explain that the animal is a service animal and provide a basic description of the service the animal has been trained to perform. Handlers must also ensure that service animals are properly controlled to avoid unnecessary disruptions, risks to safety or damage to property.

EXCEPTIONS

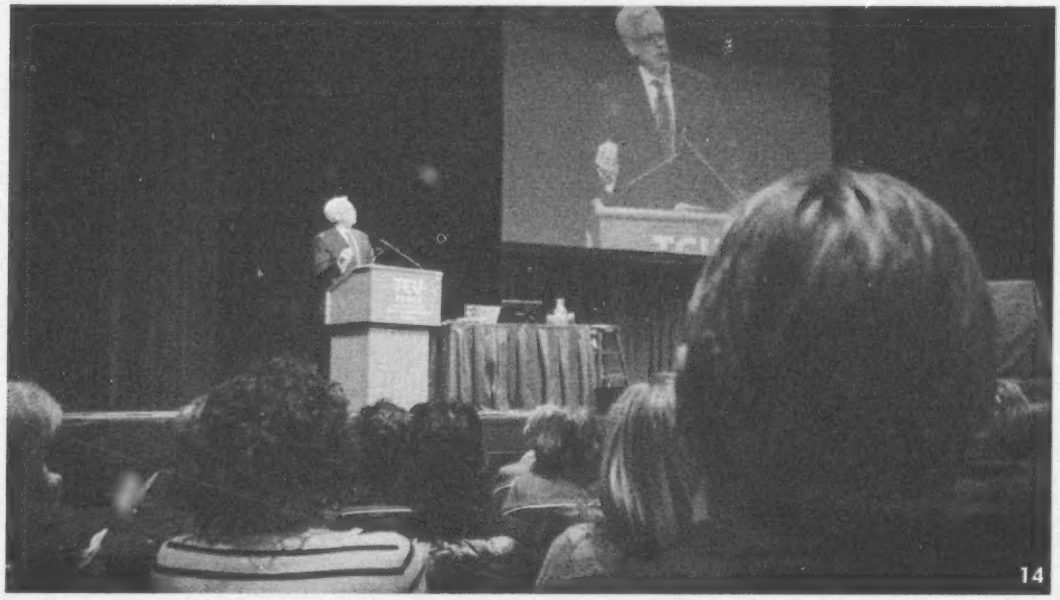
Not every accommodation request must be granted. In rare cases accommodating a service animal could represent an undue hardship.

An example of which would be a situation where the attendance of a service animal presents an unreasonable risk to health or safety. However, minor irritation, limited financial costs, or unsupported fears of property damage, do not represent an undue hardship.

LEARN MORE

The SHRC is working to familiarize employers, businesses, and agencies about the *Code*-related obligations to accommodate people with disabilities who rely on service animals. The goals of this outreach are to increase awareness, decrease the number of complaints through increased understanding, and make Saskatchewan a more service animal friendly province.

*For the entire policy, please see: http://saskatchewanhumanrights.ca/learn/policies/policy-on-service-animals



Results Key to Education Partnerships

Backing of Ministries of Justice and Education,and funding from Law Foundation, enables citizenship education project development.

The focus of the fourth pillar involves a shift in activity for the SHRC that is premised on the belief that if we want to help children become responsible citizens in the future, we need to support teachers today. A good way to support teachers is to give them quality, classroom-ready resources that work with the existing curriculum.

To that end, citizenship education resource materials are being designed to fit within the existing provincial curriculum, and are a support for teachers of Kindergarten to Grade 12 students. These materials should also:

- Add a preventative component to the existing education programs at the Commission, and to provide web-based education to residents throughout the province;
- Build a culture of respect for human rights and an understanding of the rights and responsibilities of Canadian citizenship; and
- Reduce the number and nature of complaints at the Commission.

The Commission believes that this forward-thinking approach will establish better understanding of the relationship between respect, rights, and responsibilities. Feedback from educators indicates that there is no better time to implement a citizenship education program than now.

Our schools are growing rapidly, not only in numbers, but also in diversity. The make up of our schools is a foreshadowing of how our community will look in the not too distant future. For example, more than 50% of our new students in Saskatoon schools are not Canadian.

PARTNERSHIPS UPDATE

Citizenship education is quickly becoming a well-known initiative in educational, government, and all other public sectors – despite there being two years until the formal launch. With the Pre-K to Grade 6 resource materials being well advanced, it has been a priority to inform

educators across the province that they should anticipate the resource launch in Fall 2016.

To this end, the Commission spoke to teachers, school community council members, and educational administrators over the course of the last year. Informal and conference-level feedback suggests that teachers are enthusiastic about these materials.

Both the Ministries of Education and Justice have recently affirmed their commitment to this project. The Ministry of Education has provided additional representatives to support this project.

Over the course of the last year the Law Foundation of Saskatchewan has also agreed to be a significant sponsor of this project. This partnership provides the resources needed to fully implement the curriculum supports in all schools across Saskatchewan.

Feedback from educators indicates that there is no better time to implement a citizenship education program than now.

The ongoing success of the citizenship education project is attributable to many factors including pressing classroom need, teacher support, and the backing of educational and Ministerial organizations. This would not be possible without the generous support of the Law Foundation of Saskatchewan. The Foundation is a critical and significant champion of Canadian citizenship.

RESOURCE DEVELOPMENT

The preparation of grade specific teacher resources has advanced significantly in the past term. The teacher-lead development committee communicates regularly and works to refine and incorporate feedback into the resource materials and lesson plans. The teacher working group continues to review and refine their work. As well, members of the Advisory Committee continue to provide support and feedback for this initiative.

This year, the Pre-K to Grade 6 "made by teachers for teachers" resource materials were successfully field-tested. The Grade 7 to Grade 9 materials will be field-tested in the 2014-2015 school year. The Grade 10 to Grade 12 resources will be field tested later this year.

ENGAGEMENT AND OUTREACH

Working with educators and leadership, the SHRC has begun to proactively engage with students, families, and the wider community to great success. Outreach events include:

- Raoul Wallenberg Day;
- "Think Good – Do Good" activities at Brunskill School in Saskatoon; and
- Holocaust memorial events involving individual classrooms.

These examples demonstrate the potential for collaboration and the willingness of teachers to make citizenship education a student engagement activity.

For the first time, the Commission met directly with School Community Councils by participating in the "Parent Power with Pasi – P3s for Parents" session as the Saskatoon Teachers' Association annual Festival of Education. This event was an opportunity for the SHRC to speak directly to parents about the citizenship education project. Additional opportunities to engage with the School Community Councils have become part of the larger citizenship education roll out plan.

Collaborating in the Community

Outreach to business, partnerships with multicultural and community organizations highlights of engagement activity.

EMPLOYER & BUSINESS OUTREACH

Business education is key in the Commission's forward thinking. Specifically, it is a better practice to prevent discrimination rather than prosecute infractions. To this end, the Commission has made outreach to the Canadian Federation of Independent Business, the Chambers of Commerce of Saskatoon, Regina, Moose Jaw, and Prince Albert, and also to key business associations. The Commission intends to begin an extensive education program to give business the tools to operate without incurring complaints.

The Commission receives approximately 1,500 inquiries per year. To better serve the public, all calls are now routed through Intake Consultants who are now trained to respond to a broader range of issues. In that way, information and messaging is consistent, and the Commission can be certain that further information can be garnered where the situation warrants.

The Intake Consultant may offer:

- A referral to another agency or organization;
- Information about the *Code*; and
- Direction to resources on the SHRC website or elsewhere.

External partnership and cooperation is key to the Commission's plan to increase awareness of human rights issues.

An Intake Consultant is also tasked with fielding all calls from business. The Commission receives about 250 calls per year from business. As 85% of all complaints arise in the context of employment situations, it is imperative that all businesses receive the information they need to avoid *Code* infractions.

BLACK HISTORY MONTH 2014

Every year February marks Black History Month in Canada. The aim of this national activity is to remember and celebrate the triumphs and contributions of African-Canadians to the cultural, economic, and political life of the country.

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This year the Communauté des africains francophones de la Saskatchewan (CAFS) hosted a cultural evening at the École Canadienne Française in Saskatoon. The annual event was dedicated to Nelson Mandela with a theme of "Histoire de l'apartheid d'ici and d'ailleurs (History of apartheid here and elsewhere)."

In reflecting on Nelson Mandela's legacy, Chief Commissioner Arnot observed that Mandela:

> [K]new his rights, he upheld his responsibilities as a citizen of South Africa and as a beacon to the world, and he demonstrated respect in situations that most of us cannot even imagine — he was an engaged citizen of the highest order. So not only can we learn from his example, but we must learn from his example. Whether we are acting in our community, our country, or globally, we can model our actions after his.

"MEET ME ON THE BRIDGE" PROJECT

In partnership with the Multicultural Council of Saskatchewan, Immigrant Women of Saskatchewan, the Saskatchewan Human Rights Commission, and the McKenzie Art Gallery, International Women's Day was marked with a two part celebration.

First, a video installation, 'Soliloquy' by artist Shirin Neshat explored the boundaries of gender, nationality, ethnicity, and culture. Participants view the exhibit and group discussion followed relating to perspectives arising from the art. The event finished with a gathering on the Albert Street bridge in Regina as part of an international "meet me on the bridge" project. Women gathered on bridges all over the world to demonstrate the importance of universal values and for the priorities of women.

YOUTH LEADERSHIP AWARDS

A celebration in Honour of Multicultural contributions took place at Government House in Regina hosted by Her Honour, the Lieutenant Governor, the Honourable Vaughn Solomon Schofield. This event celebrated and honoured volunteers from the province. New this year was the 2013 Multicultural Youth Leadership Award, presented by the Saskatchewan Human Rights Commission in partnership with the Multicultural Council of Saskatchewan, to Julianne Beaudin-Hearney, for her work to improve Aboriginal and non-Aboriginal relationships in academic institutions and the arts.

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By the Numbers

Year the Saskatchewan Human Rights Commission began serving the people of Saskatchewan,

1974

Number of complaints settled by mediation in 2013 / 2014.

135

Increase in the number of complaints settled through mediated processes.

133%

Files concluded in 2013 / 2014.

395

Increase in files closed compared to previous year.

44%

Matters referred to the Court of Queen's Bench since 2012.

37

Matters referred to the Court and resolved by Directed Mediation or other means.

27

Increase in complaints originating in the workplace in 2013 / 2014.

10%

Equity Sponsors

EMPLOYERS	YEAR APPROVED
City of Prince Albert	1997
City of Regina	1987
City of Saskatoon	1987
Community Health Services (Saskatoon) Association Ltd.	1996
Crown Investments Corporation	1995
Government of Saskatchewan	1987
Information Services Corporation of Saskatchewan	2004
Innovation Place (Saskatchewan Opportunities Corporation)	1996
John Howard Society of Saskatchewan	1996
Law Society of Saskatchewan	1999
MicroAge Regina	2009
Northlands College	1995
Parkland Regional College	2002
Prince Albert Co-operative Health Centre	1991
Regina Police Service	1992
Regina Public School Division	1994
Regina Women's Community Centre	1998
Saskatchewan Apprenticeship and Trade Certification Commission	2006
Saskatchewan Crop Insurance Corporation	1997
Saskatchewan Gaming Corporation	1999
Saskatchewan Government Employees Union	1988
Saskatchewan Government Insurance	1984
Saskatchewan Human Rights Commission	1980
Saskatchewan Institute of Applied Science & Technology (SIAST)	2001
Saskatchewan Legal Aid Commission	1994
Saskatchewan Liquor and Gaming Authority	1999
Saskatchewan Teachers' Federation	1991
Saskatchewan Transportation Company	1994
Saskatchewan Water Corporation	1994
Saskatchewan Watershed Authority	1994
Saskatchewan Workers' Compensation Board	2006
Saskatchewan Writers' Guild	2013
Saskatoon Police Service	2002
SaskEnergy	1994
SaskPower	1995
SaskTel	1992
United Way of Saskatoon	2013
University of Regina	1997
University of Saskatchewan	1992

PRE-KINDERGARTEN TO GRADE 12 SCHOOL DIVISIONS

Creighton
Good Spirit
Greater Saskatoon Catholic Schools
Holy Trinity RCSSD
Horizon
Île-à-la-Crosse
The Light of Christ RCSSD
Living Sky
Lloydminster RCSSD
Northern Lights
Prairie Spirit
Prairie Valley
Prince Albert RCSSD
Regina RCSSD
Saskatchewan Rivers
Saskatoon Public
South East Cornerstone

(Approval dates are not given in this section as the boundaries of many school divisions have been changed by the process of amalgamation.)

Table 1: Summary of Complaints Received April 1, 2013 to March 31, 2014 by Grounds[1] and Category

Total number of new complaints in 2013/2014 was: **369**

CATEGORY	Age	Aborigina Ancestry	Other Ancestry [2]	Marita Status	Mental Disability	Physical Disability	Religion [3]	Sexual Harassment	Sex / Gender / Other	Sex / Pregnancy	Family Status	Sexual Orientation	Public Assstance	N/A / Drug Test	Retaliation	Total Grounds	Grounds Cited
Contracts	1	0	0	0	0	2	0	0	0	0	0	0	0	0	0	3	0.7%
Education	4	0	1	0	0	3	1	0	0	1	0	0	0	0	0	10	2.2%
Employment	18	18	22	7	2	144	21	22	11	33	18	5	4	3	0	328	71.1%
Housing	1	0	0	1	0	4	0	1	0	0	0	2	2	0	0	11	2.4%
Public Services	6	8	12	2	1	21	10	0	3	1	11	3	9	1	0	88	19.1%
Purchase of Property	0	0	0	0	0	2	0	0	0	0	0	0	0	0	0	2	0.4%
N/A	0	2	1	1	1	3	2	1	1	0	3	0	1	0	0	16	3.5%
Other	1	0	0	0	0	1	1	0	0	0	0	0	0	0	0	3	0.7%
TOTAL GROUNDS	31	28	36	11	4	180	35	24	15	35	32	10	16	4	0	461	100%
% Grounds Cited	6.7%	6.1%	7.8%	2.4%	0.9%	39.0%	7.6%	5.2%	3.3%	7.6%	6.9%	2.2%	3.5%	0.9%	0.0%		
% Total Complaints	8.4%	7.6%	9.8%	3.0%	1.1%	48.8%	9.5%	6.5%	4.1%	9.5%	8.7%	2.7%	4.3%	1.1%	0.0%		

NOTES:

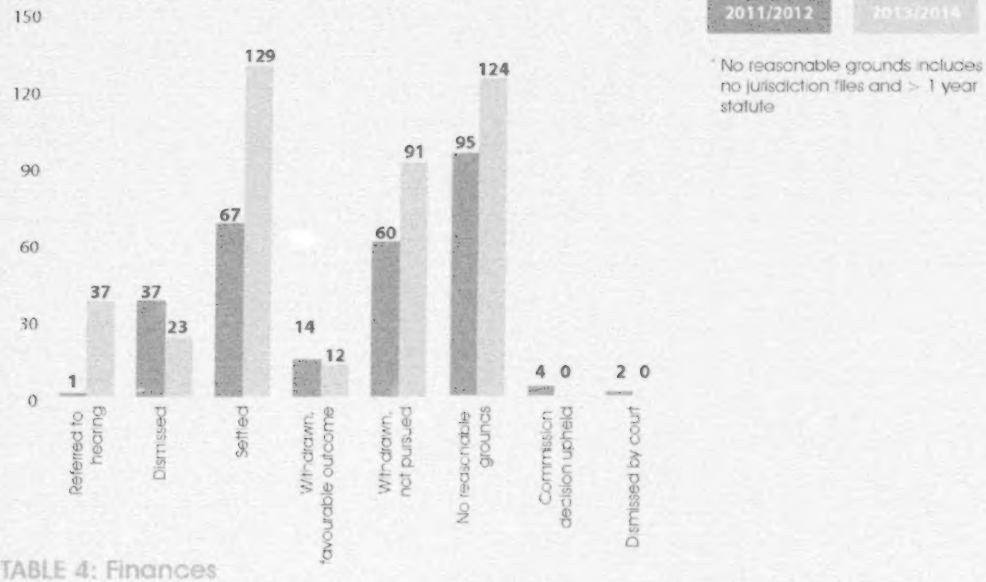
[1] Some complaints allege several kinds of discrimination. For this reason the total number of grounds cited (461) exceeds the total number of complaints filed.

[2] Other Ancestry includes colour, nationality, place of origin and perceived race.

[3] Religion includes creed.

TABLE 2: Files Opened and Closed

TABLE 3: Disposition of Complaint Files



* No reasonable grounds includes no jurisdiction files and > 1 year statute

TABLE 4: Finances

In 2013-2014, the Commission had an approved budget of $2,080,000.

	2009-2010	2010-2011	2011-2012	2012-2013	2013-2014
Salaries, Benefits and Honouraria	$1,635,000	$1,700,000	$1,793,000	$1,857,000	$1,892,000
Operating	$134,000	$134,000	$372,000[1]	$188,000	$188,000
Total	$1,769,000	$1,834,000	$2,165,000	$2,045,000	$2,080,000

[1] The 2011-12 budget included a sum of $120,000 designated exclusively for the citizenship education project.

Commission Staff

The 2013-2014 Commission staff include individuals working on full-time, part-time, casual and temporary bases.

Saskatoon
Laurie Adrian Rude – Investigator
Julian Bodnar - Mediator/Investigator
Lewanna Dubray – Investigator
Norma Gunningham-Kapphahn – Director of Resolution
Dianne Jones – Legal Secretary
David Katzman – Mediator
Shawna Kay – Reception Secretary
Ryan Kennedy – Secretary
Andrew Livingston – Investigator
Marci Macomber* – Investigator
Karen Materi – Commission Secretary
Robin Mowat – Intake Consultant
Scott Newell – Senior Staff Lawyer
Carol Riekman – Mediator
Brenda Rorke – Manager of Human Resources
Darrell Seib – Public Relations & Media Specialist
Ken Truong – Intake Consultant
Connie Windecker – Reception Secretary
* On leave

Regina
Holly Bressler – Mediator
Sue Lake – Manager of Finance and Administration
Rebecca McLellan – Executive Director
Robin McMillan* – Mediator
Heather Monus – Community Engagement Consultant
Reginald Newkirk – Investigator
Julie Powell – Investigator/Facilitator
Jennifer Sigurdson – Intake Consultant
* On leave

Commissioners
David Arnot, Chief Commissioner
Mike Bacon
Paul Favel, Q.C.
Jan Gitlin
Nasser Malik
Barry Wilcox, Q.C.

VISION STATEMENT

To have all Saskatchewan residents understand human rights, value diversity, engage in the responsibilities of their citizenship, and respect the human rights of others.

MISSION STATEMENT

To champion human rights by promoting and protecting dignity, diversity, and equality within Saskatchewan.

GOALS

- Discourage and prevent discrimination.
- Implement restorative justice measures in all complaint resolution.
- Secure appropriate remedies for individuals who experience discrimination.
- Seek systemic remedies for individuals and groups who experience discrimination.
- Advance the understanding of human rights through research and education.
- Provide leadership on public policy and legislation related to human rights and responsibilities.

Photographic Images:

COVER: © iStockphoto.com/Robert Churchill

1. Panelists speak at the at the Avenue Community Centre to launch Trans Awareness Week 2014, March 28, 2014.
2. SHRC staff present representatives from the Saskatoon Council on Aging with a "One Human Family" poster, Saskatoon, September 17, 2013.
3. Heather Ferryes speaking at the Raoul Wallenberg Day commemoration event at St. Joseph High School, Saskatoon, January 15, 2014.
4. SHRC Community Engagement Consultant, Heather Monus, 2013 Multicultural Youth Leadership award winner, Julianne Beaudin-Herney, and MCoS Executive Director, Rhonda Rosenberg, November 16, 2013.
5. Chief Commissioner Arnot speaking to members of the media at the Avenue Community Centre, March 28, 2014.
6. © iStockphoto.com/RTimages.
7. © iStockphoto.com/technotr.
8. © iStockphoto.com/YanLev.
9. Anti-discrimination messages from Brunskill School students taken during the "Steps for Change" interschool citizenship engagement event, January 16, 2014.
10. © iStockphoto.com/endopack.
11. Chief Commissioner Arnot speaks at the International Day of People with Disabilities event in Regina, December 3, 2013.
12. © iStockphoto.com/HultonArchive.
13. © iStockphoto.com/Bikeworldtravel.
14. Chief Commissioner Arnot speaking at "A Great School For Every Kid," the Saskatoon Teachers' Association annual Festival of Education, February 20, 2014.
15. "Meet Me on the Bridge" participant observes International Women's Day in Regina, March 8, 2014.
16. Chief Commissioner Arnot joins attendees at the Black History Month event hosted by the Communauté des africains francophones de la Saskatchewan (CAFS), Saskatoon, February 1, 2014.
17. MCoS Board President, Bruno Kossmann, 2013 Multicultural Youth Leadership award winner, Julianne Beaudin-Herney, Lieutenant Governor Vaughn Solomon Schofield, 2013 Betty Szuchewycz award winner, Renu Kapoor, MCoS Executive Director, Rhonda Rosenberg, and Minister Kevin Doherty, Regina, November 16, 2013.